



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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4-16-01

In re Patent application of

Atty. Docket No. 38137-0012

Bernhard FLECKENSTEIN et al.

Group Art Unit: 1633

Serial No.: 09/230,048

Examiner: J. Kerr

Filed: March 12, 1999

For: VIRAL INTERLEUKIN-6

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SUPPLEMENTAL REQUEST FOR RECONSIDERATION

TECH CENTER 1600/2900

Director, U.S. Patent and Trademark Office
Washington, DC 20231

Sir:

Applicants herein further respond to the Office Action mailed October 3, 2000. (Paper No. 9). Please consider our comments as follows:

REMARKS

Applicants have responded to a first Office Action on the merits mailed on October 3, 2000 following a restriction requirement mailed on April 14, 2000. Claims 1-20 and 28-35 have been pending and stand rejected on various grounds. Applicants submit the following supplementary remarks with respect to the rejection of claim 12 on written description grounds.

Rejection of Claim 12 as failing Written Description

On pages 7 to 9 of the Office Action the Examiner argued that only "limited information provided in the specification is not deemed sufficient . . . " (page 9 middle) and that "the written description requirement is not satisfied for the claimed nucleic acid sequences."

The Examiner argued for a "lack of guidance in the specification as to which hybridization conditions are required